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Letter dated 21 July 2006 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to transmit herewith the statement by the delegation of Azerbaijan of 22 June 2006 to the Permanent Council of the Organization for Security and Cooperation in Europe (see annex I) and the statement by the Ministry of Foreign Affairs of the Republic of Azerbaijan of 27 June 2006 (see annex II) regarding the conflict in and around the Nagorno-Karabakh region of the Republic of Azerbaijan.

I should be grateful if the present letter and its annexes were distributed as a document of the sixtieth session of the General Assembly, under agenda item 40, and of the Security Council.

(*Signed*) Yashar **Aliyev**
Ambassador
Permanent Representative

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Annex I to the letter dated 21 July 2006 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

Statement by the delegation of Azerbaijan to the Permanent Council of the Organization for Security and Cooperation in Europe

Vienna, 22 June 2006

The delegation of the Republic of Azerbaijan warmly welcomes the distinguished Co-Chairmen of the OSCE Minsk Conference and the Personal Representative of the OSCE Chairman-in-Office to this meeting of the Permanent Council. We would like to thank Ambassador Mann for his tireless activity as Co-Chairman and wish him all the best in the future. We also congratulate Mr. Matthew Bryza on his appointment as Co-Chairman and wish him success in his new position.

The outcomes of the last two rounds of negotiations in Bucharest and Paris give us grounds to express our frustration with regard to the current state of affairs. It is obvious that there is no progress at the present moment. It is very difficult to hope for a substantial breakthrough judging from the position, in which Armenia persists. It is also clear that very soon Armenia will start to refer to its forthcoming elections, especially when neutral parties to the process do not hesitate to comment on the approaching elections as an obstacle to an active and result-oriented peace process.

It is apparent that from the very beginning the Armenians' participation in the Prague process has been insincere. They simply, as is obvious, tried to buy time.

The statements of Armenian officials are full of accusations towards Azerbaijan about its allegedly militaristic intentions. The Armenians are stirring hysteria about oil revenues of Azerbaijan, which we supposedly will direct to military purposes.

First of all, the real situation is that the territories of Azerbaijan are under occupation, and Azerbaijan as such has every right, enshrined in international norms and principles, to liberate its own territories.

Secondly, the Azerbaijani leaders do not call for war. You will not find it in the statements of the President of Azerbaijan. On the contrary, we always confirm our adherence to the process of peaceful settlement and prove it by our deeds. But what can we do when the opposite side abuses this process for buying and gaining time? And for that reason the Azerbaijani leaders are forced to speak about searching for other possible solutions in case no result is achieved through negotiations. On the other hand, how can we react to the statements of the Armenian President and his ministers, who encroach upon Azerbaijan's territorial integrity by declaring that Nagorno-Karabakh does not belong to Azerbaijan? All these declarations definitely contradict the norms of international law. Therefore, we deem it necessary to jointly call on Armenia to stop infringements on the territories of Azerbaijan.

As to military expenditures, even though we do not see a reason to justify ourselves, we have repeatedly explained that Azerbaijan is living through an economic boom, and its revenues and state budget are increasing. Naturally, part of that income is spent on military needs. In terms of quantitative indicators, we are not exceeding the usual norms of expenditures in peacetime. It should be taken into account that a considerable part of expenditures goes to salaries, housing and other social needs of military personnel. Moreover, comparative analysis shows that in correlation to its population, Armenia is much more militarized in terms of number of military personnel and quantity of armaments. There is no need to mention the military alliances to which Armenia is a party, while Azerbaijan is not. Actually, it is not a gentleman's manner to count money in someone else's pocket.

We understand the true reason for the hysteria launched by Armenia in all international forums. The purpose is to create a smokescreen of its intentions in the occupied territories and to gain time, which also appears in Armenia's position in the course of negotiations.

Armenia actively boosts the image of its constructive approach to the settlement process by utilizing official sources, as well as the Armenian diaspora. The distinguished minister, Oskanian, even said that the Prague process was based exclusively on a compromise by Yerevan, which has allegedly agreed to postpone the solution of the status question, while Azerbaijan should have given its consent for a stage-by-stage return of the occupied territories, but then did not keep its promise. Armenia, having forgotten about its highly advertised commitments to democracy, makes claims about such kind of a referendum that would be based on the results of ethnic cleansing and would exclude a priori the opinion of the other ethnic community — expelled Azerbaijanis — as a mechanism to define the status. Thus, the Armenian side tries to present this referendum as an element of certain compromise which is allegedly rejected by Azerbaijan. By making such statements, Armenia once again proves our doubts in her as a partner in negotiations.

We proceed from the fact that today the status can not be defined, first of all owing to the continued occupation and, second, owing to the absence of the Azerbaijani population in the Nagorno-Karabakh region as a result of ethnic cleansing. Therefore, there are simply no objective conditions for defining the status, which would effectively ensure human rights and normal living conditions in this region of Azerbaijan. The status can be defined only in normal, peaceful conditions, with the cooperation of the Armenian and Azerbaijani communities and their constructive interaction in the region with the Azerbaijani Government, exclusively in the framework of a lawful, legal and democratic process. We do not exclude the use of voting as a democratic way of defining the attitude of the Armenian and Azerbaijani communities to the proposed model of status, and their opinions should coincide.

At the same time, as we have already described above, all parties and mediators have accepted the stage-by-stage approach to the settlement process as the only possible option, since it is clear that the status cannot be defined at this stage.

In this case, what is the outstanding contribution of Armenia? In fact, the mechanisms advocated by Armenia to define the status are as far from democracy as the so-called "peaceful" policy of that country, which keeps the territories of Azerbaijan under occupation, since first, Armenia obstructs the return of

Azerbaijanis to Nagorno-Karabakh and, second, excludes equal consideration of the opinions of both communities.

Armenia's behaviour at the negotiations proves our concerns. The resettlement of Armenians in the occupied territories around Nagorno-Karabakh testifies that Armenia is trying not only to consolidate the ethnic cleansing in Nagorno-Karabakh but also to change the demographic situation in other regions of Azerbaijan.

In order to define the status, as we have mentioned above, it is necessary to return the Azerbaijani population to the region and ensure its interaction with Armenians. This end requires the establishment of security conditions in and around the Nagorno-Karabakh region, which naturally envisages the liberation of those territories and the withdrawal of the occupying forces under the proper international guarantees, an international presence and demilitarization measures.

However, we encounter serious problems with the Armenian side, which is trying to keep some of the territories hostage and, to justify this, is speculating on security issues. This concerns the Kelbadjar district. The Armenian side is also trying to appropriate the whole region under the pretext of guaranteeing the preservation of the corridor from Nagorno-Karabakh to Armenia. This concerns the Lachin district.

Even a first-glance analysis of the extremely complex mountainous terrain of the Kelbadjar district shows that it is a hard area to traverse even in normal circumstances, let alone to conduct a large-scale military movement. This only reaffirms the unreasonable nature of the security concerns on the part of Armenia. In reality, Armenia is trying to keep Kelbadjar as a bargaining chip with regard to the status of the Nagorno-Karabakh region. However, such an evident retention of territories will only bring about negative consequences and will further aggravate the tense situation in the region. The return of the Kelbadjar district under conditions of the deployment of an international presence there within the framework of realistic stage-by-stage withdrawal of troops from all occupied territories will help the parties to successfully overcome this difficulty and switch to the level of constructive interaction.

As far as the security of the Nagorno-Karabakh Armenians is concerned, the Government of Azerbaijan will be ready, upon the return of Kelbadjar, to guarantee an interim interaction arrangement which will regulate the activities of both communities in the Nagorno-Karabakh region, through interaction with the Government of Azerbaijan, until the status is defined.

As for the issue, we call on the Armenian side not to delay the issue and to discuss now the parameters of such a corridor and its modalities. This will lead to the liberation of the Lachin district within the framework of the same withdrawal process of Armenian forces from the occupied territories. We will not allow the annexation of the Lachin district or our other territories. We see a constructive solution to the corridor issue in its use by both sides under the protection of international forces. This will in particular provide a connection for the Armenian population of the Nagorno-Karabakh region with Armenia and for Azerbaijan with its Nakhchivan Autonomous Republic.

Thus, as you see, Azerbaijan is suggesting constructive solutions to the issues of the liberation of Kelbadjar and the Lachin corridor. In contrast to this constructive solution, we are faced with the intention of Armenia to retain the

Kelbadjar district on the one hand, and on the other hand, to attempt to annex the Lachin district. This situation will further hamper progress in the negotiations.

Azerbaijan is ready to shift away from its extreme position and guarantee the self-governance of the Armenian community of Nagorno-Karabakh within Azerbaijan. In response, Armenia should also shift away from its extreme position on the secession of the Nagorno-Karabakh region from Azerbaijan and the non-recognition of the territorial integrity of Azerbaijan.

As we see, in reality it is exactly for the purpose of secession that Armenia wants to retain control over the Kalbadjar and Lachin districts, obstructs the return of the displaced Azerbaijani population to the Nagorno-Karabakh region and insists on holding a referendum on the basis of ethnic cleansing.

The President of Azerbaijan is of the view that the settlement of the conflict should be based on self-rule of both communities in the Nagorno-Karabakh region within Azerbaijan via the establishment of intercommunal peace and harmony. It is only on this basis that President Aliyev sees his own and the mediators' efforts within the framework of the Minsk process, particularly the Prague meetings.

It is obvious that the Armenian side is trying to use the process and is diverting its further efforts to freeze the situation and preserve its military control over Nagorno-Karabakh with the aim of effecting its secession from Azerbaijan. Azerbaijan will never allow this to happen. I hope you do not view that statement as a call for war.

In conclusion, in order to disperse the last illusions about whom we are dealing with, I would like to draw your attention to the following. As you may recall, last year the OSCE fact-finding mission brought to light flagrant facts on the resettlement policy and other illegal activities of Armenia in the occupied territories of Azerbaijan. Those facts on the whole confirm the real intention of the Armenian side.

Recently we were shocked by credible information on incidents of massive fires burning in the eastern parts of the occupied territories of Azerbaijan, particularly in mountainous and plain terrain used for agricultural and living purposes by Armenians in the Aghdam and Khodjavand districts of Azerbaijan. We obtained satellite imagery of those districts and would like to provide you with some details. In a 132.2 km^2 area, a number of towns, villages, agricultural land, cultural and historical monuments, flora and fauna and dwellings have been destroyed or burned by the fire.

A comparison of satellite images taken in 2005 and 2006 shows that those territories were completely untouched by fire in 2005. The facts prove that those fires occurred in the course of May and June 2006. Analyses of the satellite photos confirm that the fires are of a large scale and will have disastrous consequences for the entire ecological system of those occupied territories.

The whole burned area could be divided into four large parts of almost equal size. A more detailed focus demonstrates that those parts are separated from each other by roads, channels and lanes that were untouched by the fire. The lanes are clearly seen, and their width of several kilometres proves that the fire could hardly have spread from one part to another by bypassing them. Thus, it is apparent that the fires ignited simultaneously in several areas that were separated from each other and

that their massive and targeted character gives reasonable grounds to suggest that those incidents were man-made and intentional.

Even if the fires were the result of natural causes, Armenia as the occupying Power bears full responsibility for suppressing them.

The massive fires will cause serious and, to a certain extent, irreversible damage to the entire environmental system of the occupied territories of Azerbaijan. Once more it proves that Armenia is abusing those territories. Such acts of vandalism and destruction by Armenia must be strongly condemned. Adequate response should be taken to suppress the fires and assess the damage inflicted upon the environment in those territories. In that connection, we officially request the Chairman-in-Office to dispatch his Personal Representative, Ambassador Kasprzyk, to study and assess the situation in the affected areas with a view to ensuring their full rehabilitation as soon as possible.

Annex II to the letter dated 21 July 2006 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

[Original: Russian]
[27 June 2006]

Statement by the Ministry of Foreign Affairs of the Republic of Azerbaijan

With respect to the usual ongoing attempts by the Ministry of Foreign Affairs of the Republic of Armenia to deliberately distort the reality of the negotiating process for the settlement of the Armenian-Azerbaijani Nagorno-Karabakh conflict, the Ministry of Foreign Affairs of Azerbaijan would like to make the following statement:

The statement by the Ministry of Foreign Affairs of Armenia of 26 June 2006 is yet another proof, unfortunately, of the unconstructive stance which the Armenian party has been maintaining in the conflict settlement process.

The Co-Chairmen of the Minsk Group of the Organization for Security and Cooperation in Europe (OSCE) and, in particular, the Co-Chairman from the United States of America, Matthew Bryza, provided only a broad outline of the individual principles of the phased peace settlement under negotiation, which must not be taken out of the overall context of the proposed document. To do so leads to misunderstanding or confusion as well as to the kind of speculation reflected in the statement by the Ministry of Foreign Affairs of Armenia.

As no status may be determined so long as the occupation and ethnic cleansing continue, the occupied territories of Azerbaijan must be liberated and the entire conflict zone demilitarized; under appropriate international security guarantees, this would create the conditions for the return of the forcibly displaced Azerbaijani population to its place of permanent residence. This is recognized by the Armenian leadership itself.

The Azerbaijani party reiterates its position regarding its readiness to grant the highest possible status of autonomy to Nagorno-Karabakh within the framework of the internationally recognized territorial integrity of the Republic of Azerbaijan and on the basis of the current Constitution of Azerbaijan. Such a constitutional approach, based on the rules and principles of international law, is the only possible one for achieving a lasting settlement.

For the purpose of establishing peace and harmony between communities and objective conditions for determining the status of the region, and taking account of the prospects for further development of the region, Azerbaijan would be prepared to consider, in accordance with precedents existing in international practice, the issue of implementing a range of economic and other incentives for the population of Nagorno-Karabakh after its ethnic composition existing at the start of the conflict is restored.

Azerbaijan's position within the framework of the negotiations continues to be constructive and to reflect the interests not only of its multi-ethnic State but also of the entire international community. Any attempts to bring about a change in this

position through blackmail or threats, using the tactic of holding the occupied territories of our country hostage and turning them into a bargaining chip, are bound to fail. The territorial integrity of Azerbaijan is not and cannot be negotiable.

Meanwhile, the Ministry affirms the commitment of the Azerbaijani party to continue negotiations for the achievement of a lasting and just peace in the region. In the event of a breakdown in the negotiating process, any blame or responsibility would lie with the Armenian party.